

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

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FOSSIL GROUP, INC. AND MICHAEL KORS, LLC,

Plaintiffs,

-against-

**DEFENDANTS
PESHA FRIEDMAN
AND MOSHE
FRIEDMAN'S
ANSWER AND
AFFIRMATIVE
DEFENSES**

EXTENDED DEALS, INC., WORLD OF
ACCESSORIES, INC., PESHA FRIEDMAN,
JACOB KATZ, AND MOSHE FRIEDMAN,

Index No. 20-CV-2577

Defendants.

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Defendants Pesha Friedman and Moshe Friedman, by their attorney, Todd Wengrovsky, for
their Answer and Affirmative Defenses, state as follows:

“STATEMENT OF THE CASE” SECTION OF COMPLAINT

1. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this
Paragraph of the Complaint.

2. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this
Paragraph of the Complaint.

3. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this
Paragraph of the Complaint.

4. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information
sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the
Complaint.

“PARTIES” SECTION OF COMPLAINT

5. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

6. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

7. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

8. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

9. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint, with the further comment that Defendant Pesha Friedman is a former employee of World Accessories.

10. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

11. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

12. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

13. Defendants Pesha Friedman and Moshe Friedman admit the allegations in this Paragraph of the Complaint.

14. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

“JURISDICTION AND VENUE” SECTION OF COMPLAINT

15. Defendants Pesha Friedman and Moshe Friedman admit the allegations in this Paragraph of the Complaint.

16. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

17. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

18. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

“FACTUAL ALLEGATIONS” SECTION OF COMPLAINT

19. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

20. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

21. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

22. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

23. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

24. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

25. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

26. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

27. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

28. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

29. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

30. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

31. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

32. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

33. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

34. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

35. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

36. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

37. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

38. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

39. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

40. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

41. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

42. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

43. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

44. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

45. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

46. Defendants Pesha Friedman and Moshe Friedman admit the allegation that the cited e-mail address was used by Pesha Friedman, but are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint. Defendants further comment that Pesha Friedman had no ownership or rights to the cited Amazon Appertronics account, and has no access to such account since she no longer works for such business.

47. Defendants Pesha Friedman and Moshe Friedman admit the allegation that the Lakewood address is Pesha Friedman's, but are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint. Defendants further comment that Pesha Friedman had no ownership or rights to the cited Amazon Appertronics account, and has no access to such account since she no longer works for such business.

48. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

49. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

50. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

51. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

52. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

53. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

54. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

55. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

56. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

57. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

58. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

59. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

60. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

61. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

62. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

63. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

64. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

65. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

66. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

67. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

68. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

69. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

70. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

71. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

72. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

73. Defendants Pesha Friedman and Moshe Friedman admit the allegations in this Paragraph of the Complaint.

74. Defendants Pesha Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

75. Defendants Pesha Friedman and Moshe Friedman admit the allegations in this Paragraph of the Complaint.

76. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

77. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

78. Defendants Peshia Friedman and Moshe Friedman are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of the Complaint.

79. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

80. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

81. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

82. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

83. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

84. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

85. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

86. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

87. Defendants Peshia Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

“FIRST CLAIM FOR RELIEF” SECTION OF COMPLAINT

88. Defendants Pesha Friedman and Moshe Friedman repeat and incorporate by reference their replies in Paragraphs 1 through 87 herein inclusive.

89. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

90. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

91. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

92. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

93. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

94. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

95. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

“SECOND CLAIM FOR RELIEF” SECTION OF COMPLAINT

96. Defendants Pesha Friedman and Moshe Friedman repeat and incorporate by reference their replies in Paragraphs 1 through 95 herein inclusive.

97. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

98. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

99. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

100. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

101. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

102. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

103. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

104. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

105. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

106. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

“THIRD CLAIM FOR RELIEF” SECTION OF COMPLAINT

107. Defendants Pesha Friedman and Moshe Friedman repeat and incorporate by reference their replies in Paragraphs 1 through 106 herein inclusive.

108. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

109. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

110. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

111. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

112. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

“FOURTH CLAIM FOR RELIEF” SECTION OF COMPLAINT

113. Defendants repeat and incorporate by reference their replies in Paragraphs 1 through 112 herein inclusive.

114. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

115. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

116. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

117. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

118. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

119. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

120. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

“FIFTH CLAIM FOR RELIEF” SECTION OF COMPLAINT

121. Defendants Pesha Friedman and Moshe Friedman repeat and incorporate by reference their replies in Paragraphs 1 through 120 herein inclusive.

122. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

123. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

124. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

125. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

“SIXTH CLAIM FOR RELIEF” SECTION OF COMPLAINT

126. Defendants repeat and incorporate by reference their replies in Paragraphs 1 through 123 herein inclusive.

127. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

128. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

129. Defendants Pesha Friedman and Moshe Friedman deny each and every allegation of this Paragraph of the Complaint.

DEFENDANTS' AFFIRMATIVE DEFENSES

Answering further, Defendants Pesha Friedman and Moshe Friedman raise the following affirmative defenses:

FIRST AFFIRMATIVE DEFENSE

The Complaint fails to state a claim against Defendants Pesha Friedman and Moshe Friedman upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiff can not demonstrate injury, impact or damage as a result of any actions by Defendants Pesha Friedman and Moshe Friedman.

THIRD AFFIRMATIVE DEFENSE

Defendants Pesha Friedman and Moshe Friedman have not infringed the United States Trademark Registrations cited in the Complaint.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff is barred from recovery by reason of waiver and/or estoppel.

FIFTH AFFIRMATIVE DEFENSE

Defendants Pesha Friedman and Moshe Friedman had no knowledge that any of their activities constituted infringement and thus their actions were innocent.

Defendants reserve the right to assert additional affirmative defenses in the event discovery discloses the existence of same.

WHEREFORE, Defendants Pesha Friedman and Moshe Friedman respectfully request this Court to grant judgment in their favor, order all claims of the complaint dismissed with prejudice, award Defendants Pesha Friedman and Moshe Friedman all costs, expenses, disbursements and fees incurred herein, including reasonable attorneys' fees, and such other, further and different relief as the Court may deem just and proper.

Dated: Calverton, New York.
July 13, 2020

/s/ Todd Wengrovsky
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Pesha Friedman and Moshe Friedman